IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5410 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

@

DHARMENDRA NATWARLAL RATHOD

Versus

GSRTC

Appearance:

1. Special Civil Application No. 5410 of 1999

MR SANDEEP N BHATT for Petitioner No. 1

MRS VASAVDATTA BHATT for Respondent No. 1-2

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 08/05/2002

ORAL JUDGEMENT

Heard learned advocate Mr. Prakash Purohit for Mr. Sandeep Bhatt for the petitioner and Ms. Vasavdatta Bhatt for the respondent. According to the petitioner, the petitioner is unemployed youth who has successfully

undergone the course of turner in ITI and has passed necessary examination and has also done apprenticeship in the respondent corporation and the respondent has issued certificate to that effect. The petitioner has also passed that the examination conducted by the National Council for Vocational Trades, Ministry of Labour, Government of India and also having National Apprenticeship Certificate. The petitioner states that thereafter the respondents have invited application for various posts and the petitioner has applied for the post of Body Fitter According to the petitioner, as there is no trade available for body fitter in Gujarat and as test conducted by the National Council for Vocational Trades is equivalent to requisite qualification, the petitioner is qualified and eligible for being considered for the job and yet his application has been rejected by the corporation on the ground that the petitioner is not having the necessary qualification. Therefore, earlier, the petitioner had filed special civil application no. 778 of 1998 before this court which was disposed of by this court by order dated 15.7.1998. Pursuant to the orders passed by this Court in aforesaid petition on 15.7.1998, representation was made by the petitioner before the corporation and in response to the said representation, reply has been given by the Divisional Controller, ST Rajkot that at present, the proceedings for recruitment have been stopped. However, as and when the process for regular recruitment will be initiated, application form duly filled in will have to be submitted and thereafter, procedure according to the rules will be initiated. Thus, as per the reply dated 3rd December, 1998, according to my opinion, as and when the corporation will advertise the post of Body Fitter, it is open for the petitioner to apply by filling up the necessary application form with the corporation and his case will be considered by the Corporation. Therefore, in view of this reply given by the respondent corporation, this petition is disposed of. Rule is discharged. There shall be no order as to costs.

8.5.2002. (H.K. Rathod,J.)

Vyas